

5796-C

ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

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CHARLES T. KAPPLER  
JOHN H. DOYLE\*  
GEORGE JOHN KETO\*  
MILTON C. GRACE\*  
JAMES C. MARTIN, JR.\*

\*NOT A MEMBER OF D.C. BAR  
\*ALSO ADMITTED IN NEW YORK  
\*ALSO ADMITTED IN OHIO  
\*ALSO ADMITTED IN MARYLAND

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440367 A AND A

RECORDATION NO. 5796-C  
FILED 1285

JUL 27 1988-1 50 PM

INTERSTATE COMMERCE COMMISSION

July 27, 1988

8-209A015

JUL 27 1988

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NOTICE OF RECORDATION

JUL 27 1 44 PM '88

Ms. Noreta R. McGee  
Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423

Dear Ms. McGee:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11303(a) are the original and two copies of a Release and Satisfaction and Bill of Sale dated as of August 2, 1985, a secondary document as defined in the Commission's Rules for the Recordation of Documents.

The enclosed document relates to the Equipment Trust Agreement dated as of August 1, 1970 between Manufacturers Hanover Trust Company, Trustee, and The Chesapeake and Ohio Railway Company, which was duly filed and recorded on October 16, 1970 and assigned Recordation Number 5796-A.

The name and address of the party executing the enclosed document is:

Manufacturers Hanover Trust Company, as Trustee  
600 Fifth Avenue, 10th Floor  
New York, New York 10020

A description of the railroad equipment covered by the enclosed document is:

All railroad rolling stock subject to the above Equipment Trust Agreement.

Also enclosed is a check in the amount of \$13 payable to the order of the Interstate Commerce Commission covering the required recordation fee.

*Handwritten:* A summary of the CT/Kappler


Ms. Noreta R. McGee  
Secretary  
Interstate Commerce Commission  
April 27, 1988  
Page Two

Kindly return stamped copies of the enclosed document not needed for your files to Charles T. Kappler, Esq., Alvord and Alvord, 918 Sixteenth Street, N.W., Washington, D.C.

A short summary of the enclosed secondary document to appear in the Commission's Index is:

Release and Satisfaction and Bill of Sale dated August 2, 1985 covering all railroad rolling stock.

Very truly yours,

  
Charles T. Kappler

Enclosures

**Interstate Commerce Commission**  
Washington, D.C. 20423

7/27/88

OFFICE OF THE SECRETARY

Charles T. Kappler  
Alvord & Alvord  
918 16th St. N.W.  
Washington, D.C. 20005

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 7/27/88 at 1:50pm, and assigned recordation number(s). 5796-C & 5921-A

Sincerely yours,

*Narita L. McGee*  
Secretary

Enclosure(s)

## RELEASE AND SATISFACTION AND BILL OF SALE

COUNTERPART NO. 2

OF 3 COUNTERPARTS  
RECORDATION NO. 5796-CCHESAPEAKE AND OHIO RAILWAY THIRD EQUIPMENT TRUST  
OF 1970, DATED AS OF AUGUST 1, 1970

JUL 27 1988-1 40 PM

INTERSTATE COMMERCE COMMISSION

KNOW ALL MEN BY THESE PRESENTS that Manufacturers Hanover Trust Company, Trustee, under a certain Equipment Trust Agreement dated as of August 1, 1970, between Manufacturers Hanover Trust Company, Trustee, and The Chesapeake and Ohio Railway Company, said Agreement establishing Chesapeake and Ohio Railway Third Trust of 1970, hereby certifies that all of the \$15,000,000.00 principal amount of 7 3/4% and 8 5/8% Equipment Trust Certificates and divided warrants appertaining thereto issued under said Equipment Trust have been fully paid or payment duly provided for, and all of the obligations under said Equipment Trust have been fully complied with and performed.

WHEREFORE, in consideration of \$1.00 and other valuable consideration;


Manufacturers Hanover Trust Company does hereby declare said Agreement dated as of August 1, 1970, to be satisfied and cancelled and does consent that the same be discharged of record, and further said Manufacturers Hanover Trust Company does hereby sell, assign, convey, transfer, set over, release and quitclaim without warranty or guaranty of any kind express or implied unto The Chesapeake and Ohio Railway Company all of its right, title, and interest in and to all of the railroad equipment of every character included in said Equipment Trust and now held by Manufacturers Hanover Trust Company, as Trustee.

IN WITNESS WHEREOF, Manufacturers Hanover Trust Company has caused these presents to be executed in its name by one of its Vice President as of this 2<sup>nd</sup> day of August, 1985.

ATTEST:

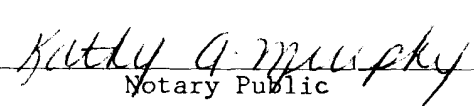
MANUFACTURERS HANOVER TRUST COMPANY,  
Trustee

  
T. C. Monahan  
Assistant Secretary

By   
D. A. URSITTI, JR.  
Vice President

STATE OF NEW YORK )  
) ss:  
COUNTY OF NEW YORK)

On this 2<sup>nd</sup> day of August, 1985, before me personally appeared D. A. URSITTI, JR., to me personally know, who, being by me duly sworn, says that he is a Vice President of Manufacturers Hanover Trust Company, that the corporate seal affixed to the foregoing instrument is the seal of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

  
Notary Public

KATHY A. MURPHY  
Notary Public, State of New York  
No. 60-4325140  
Qualified in Westchester County  
Certificate filed in New York County  
Commission Expires March 30, 1986